

**Nebraska Children’s Commission
Juvenile Services (OJS) Committee**
Thirty-Second Meeting
November 10, 2015
9:00 AM – 3:00 PM
Child Advocacy Center, Gary Lacy Training Room
5025 Garland Street
Lincoln, NE 68504

I. Call to Order

Kim Hawekotte, Co-Chair of the Juvenile Services (OJS) Committee, called the meeting to order at 9:03 a.m.

II. Roll Call

Committee Members present (11):

Nicole Brundo (9:21)	Ron Johns	Cassy Rockwell
Tony Green	Cynthia Kennedy	Juliet Summers
Kim Hawekotte	Tom McBride	Dr. Ken Zoucha
Dr. Anne Hobbs	Jana Peterson	

Committee Members absent (6):

Jeanne Brandner	Barb Fitzgerald	Nick Juliano
Kim Culp	Judge Larry Gendler	Dr. Richard Wiener

Committee Resource Members present (7):

Jim Bennett	Mark Mason	Adam Proctor
Christine Henningsen	Katie McLeese Stephenson	
Liz Hruska	Monica Miles-Steffens	

Committee Resource Members absent (7):

Senator Kathy Campbell	Jerall Moreland	Dan Scarborough
Dannie Elwood	Judge Linda Porter	
Catherine Gekas Steeby	Julie Rogers	

A quorum was established.

Guests in Attendance (6):

Raevin Bigelow.....	Project Everlast
Bethany Connor Allen.....	Nebraska Children’s Commission
Monica DeMent.....	DHHS, Division of Children and Family Services
Michael Fargen.....	Foster Care Review Office
Amanda Felton.....	Nebraska Children’s Commission
Josh Henningsen.....	Nebraska Legislative Council

a. Notice of Publication

Co-Chair Hawekotte, indicated that the notice of publication for this meeting was posted on the Nebraska Public Meetings Calendar website in accordance with the Nebraska Open Meetings Act.

b. *Announcement of the placement of Open Meetings Act information*

A copy of the Open Meetings Act was available for public inspection and was located on the table near the back of the meeting room.

III. Approval of Agenda

Co-Chair Hawekotte entertained a motion to approve the Agenda. A motion was made by Jana Peterson to approve the agenda as written. The motion was seconded by Ron Johns. No further discussion ensued. Roll Call vote as follows:

FOR (10):

Tony Green
Kim Hawekotte
Dr. Anne Hobbs
Ron Johns

Cynthia Kennedy
Tom McBride
Jana Peterson
Cassy Rockwell

Juliet Summers
Dr. Ken Zoucha

AGAINST (0):

ABSTAINED (0)

ABSENT (7):

Jeanne Brandner
Nicole Brundo
Kim Culp

Barb Fitzgerald
Judge Larry Gendler
Nick Juliano

Dr. Richard Wiener

MOTION CARRIED

IV. Approval of the Minutes

Cassy Rockwell moved to approve the minutes of the October 10, 2015 minutes as presented. Cynthia Kennedy seconded the motion. There was no further discussion. Roll Call vote as follows:

FOR (10):

Tony Green
Kim Hawekotte
Dr. Anne Hobbs
Ron Johns

Cynthia Kennedy
Tom McBride
Jana Peterson
Cassy Rockwell

Juliet Summers
Dr. Ken Zoucha

AGAINST (0):

ABSTAINED (0)

ABSENT (7):

Jeanne Brandner
Nicole Brundo
Kim Culp

Barb Fitzgerald
Judge Larry Gendler
Nick Juliano

Dr. Richard Wiener

MOTION CARRIED

V. New Member Nomination

Co-Chair Kim Hawekotte brought attention to the membership requests for the committee. Two individuals had expressed interest in joining the OJS Committee. They were:

- a. Senator Patty Pansing Brooks – Representative of the Judiciary Committee of the Legislature
- b. Steve Milliken – Representative of the Department of Education

Both of the individuals would serve as resource members on the OJS Committee. It was moved by Ron Johns and seconded by Cassy Rockwell to forward a recommendation of approval to the Nebraska Children’s Commission for both Senator Patty Pansing Brooks and Steve Milliken to be added as members of the OJS Committee. No further discussion ensued. Roll Call vote as follows:

FOR (10):

Tony Green
Kim Hawekotte
Dr. Anne Hobbs
Ron Johns

Cynthia Kennedy
Tom McBride
Jana Peterson
Cassy Rockwell

Juliet Summers
Dr. Ken Zoucha

AGAINST (0):

ABSTAINED (0)

ABSENT (7):

Jeanne Brandner
Nicole Brundo
Kim Culp

Barb Fitzgerald
Judge Larry Gendler
Nick Juliano

Dr. Richard Wiener

MOTION CARRIED

VI. Co-Chair Report

In her report, Co-Chair Kim Hawekotte, emphasized the importance of the legislative report that the Committee would be focusing on later in the agenda. She remarked that one of the topics that had not received much attention from the group was the Youth Rehabilitation Treatment Centers (YRTC). Since it was a statutory requirement to put forth recommendations regarding the YRTCs, she suggested that the Committee focus in on the issue.

VII. Review of Missouri Division of Youth Services (DYS) Presentation

Co-Chair Hawekotte began the review of the Missouri Division of Youth Services (DYS) presentation from the October 20, 2015 meeting. In order to help facilitate discussion, the Co-Chair asked that the members complete a SWOT Analysis for the Missouri DYS system. She informed the Committee that a SWOT Analysis looked at the Strengths, Weaknesses, Opportunities, and Threats of a project, system, or goal. The following contains the items for each element of SWOT that the members felt represented the Missouri DYS system.

- *Strengths*

The members discussed several items they saw as strengths of the Missouri DYS system. They included the ability to keep family close in location to the youth, having a culture and foundation built upon safety, and establishing regions that fit well with the population's needs. The focus on creating a humane environment for the youth was also discussed. The subtle environmental elements within the institutions such as comfortable furniture, the ability to wear their own clothing, and being able to hang artwork and photos from home help to establish the culture in which the youth feel safe.

Other components the Committee felt aided to the strength of the DYS system included their reluctance to send kids out of the state for services and their "no-rejection" policy. This was possible because all of the necessary services were provided internally with no need to send youth elsewhere. It was also highlighted that the DYS System of Care is consistent for all youth involved. Rather than focusing on labels, they sought to understand why the youth were acting out. It all connected to having a positive, rehabilitative approach rather than a punitive Correctional approach. Looking at their system not as a model, but as a philosophy helped the system grow and change as needed.

The group continued on by mentioning the culture of community involvement. They gave the example of when a youth runs, even members of the community were contacted and assisted in the search. The relationship between the DYS and the county courts was a very important strength of the Missouri system as well. By partnering with DYS, the courts ensured that the youth received appropriate services before reentering the community.

Staff training was another strength that was covered. Intensive training was provided to ensure that the staff understood the philosophies behind their work. The ability to have all frontline staff become certified substitute teachers was an additional aspect that assisted in ensuring that all educational needs were met. The 140+ hours of training provided to the staff gave them a sense of worth within the system. This also encouraged them to become an integrated part of the rehabilitation process for the youth.

The resources available to the DYS was noted as a key element in their success. The ability to use blended funding including state funds, Medicaid funds, and funds from the Department of Elementary and Secondary Education enabled them to offer more services to the youth they serve. The large pool of funding allowed them the opportunities such as providing transportation to youth and their families.

- *Weaknesses*

Topics shifted to addressing the weaknesses of the Missouri DYS system. Several members found the lack of clinical staff at the DYS to be a downfall. The group process was highly valued by the Missouri system, but the Committee members felt that there would always be youth who needed more intensive rehabilitation. The members addressed that the grouping of the youth may be difficult with youth with extreme mental health issues. Missouri viewed mental health and substance abuse as behavioral problems rather than as biological diseases. It was also mentioned that the diagnosis of substance abuse must come from a medical professional as there could be instances of drug counselors unnecessarily over diagnosing.

Staffing struggles were listed as an additional weakness of the DYS. The members pointed out that the Missouri presenters acknowledged the difficulty in getting and keeping quality staff members. The salary of frontline staff is comparatively low with other jobs in the areas, making it a less desirable occupation.

There were other problems that the Missouri presenters addressed that Committee members agreed were weaknesses. Much like Nebraska, the rural areas of Missouri struggled to provide appropriate detention alternatives. With limited resources in those regions, low risk youth were committed to detention facilities at higher rates.

Other weaknesses noted included the difference in how DYS defined recidivism, the process of filing grievances for youth, and the fact that even with regionally based facilities, some families still had to travel up to 2 hours to see a youth.

- *Opportunities*

The Missouri DYS system had several opportunities that it could take advantage of. They were able to use blended sources of funding, had active community involvement such as neighborhood associations, and had the support of the Advisory Committees. All of these resources continued to provide new opportunities to enrich the DYS.

- *Threats*

The Committee reviewed several issues that could be threats to the Missouri DYS system. One threat covered was that a lack of clinicians could hinder their ability to receive Medicaid funds. The group also noted the difficulty in establishing consistency throughout the regions, large competition in the job market, the high turnover rates, and the costs associated with training individuals in high turnover positions as potential threats.

After reviewing the SWOT elements of the Missouri DYS, Co-Chair Hawekotte welcomed the members to discuss the SWOT elements for the current Nebraska Juvenile Justice system.

- *Strengths*

The Committee remarked that the focus of the current system had begun to shift towards rehabilitative over correctional. They discussed the culture shift from looking at the youth as “bad kids” to realizing that there may be underlying issues causing the negative behavior. Overall, the group noted a sense of collaboration and desire of all agencies involved to improve the system for the better.

Many of the same strengths listed for the Missouri DYS were repeated as strengths of the Nebraska system. These included the push to keep youth involved with their family and community as well as investing in staff with training.

Several other factors were listed such as the emphasis on using evidence based practices, focusing on educational efforts for the youth in both in and out-of-home placement, and

finding the right services to effectively serve the youth's needs. One helpful resource that was mentioned was the use of teleservices for the rural areas of the state.

- *Weaknesses*

One weakness that continued to come up was the number of children sent out of state for services. Since Nebraska did not have a “no rejection” policy similar to Missouri, many youth were sent to surrounding areas for treatment. With the large amount of rural space in Nebraska, the members agreed that getting necessary services for youth in those areas was difficult.

Appropriate funding was a weakness that the members indicated was a continual struggle. The lack of funding contributes to several other system weaknesses like a lack of adequate life skill training to youth and instituting diversion programs throughout the state. In the talk of diversion programs, the members reflected on how there are areas of the state that have the ability to access county aid funds, but without the support of other agencies, would not have the capacity to institute the necessary changes.

- *Opportunities*

Members present discussed the various opportunities that the Nebraska Juvenile Justice system could take advantage of. The Committee emphasized that the continued push towards evidence based practices could be of benefit for the system involved youth. They also discussed moving towards the use of blended funding by adding education elements to the system and using resources like Magellan to find how other sources of funding may be utilized.

They also felt the need to capitalize on the current climate surrounding youth services. The group reflected on the increase in legislative interest surrounding child welfare. With the support of both the legislature and outside agencies, the number of resources available could significantly increase.

- *Threats*

Conversation once again returned to the issue of funding. With restrictions surrounding Medicaid funding, it could prove to be impossible to access without legislative changes. The issue of legislative term limits also posed a threat to progress as each new legislator must be reeducated on the system and its needs.

The group examined the many complications that came with major reform. Issues could arise with workplace turnover, shifting the culture of the workforce, and ensuring system stability. Talk occurred regarding the need to create an efficient strategic plan that ensured all parties were on the same page and that the model was given time to flourish and grow. If there was too much change to a system model, it could undermine the reform efforts and create tension among the agencies and organizations involved.

VIII. OJS Committee Legislative Report

After reviewing the SWOT factors of both the Missouri and Nebraska systems, Co-Chair Hawekottee prompted the Committee to analyze and compare the two to formulate recommendations to include in the Juvenile Services Report.

Lengthy discussion occurred surrounding how the ideal Nebraska juvenile justice system would look. It was agreed upon that all entities involved needed to undertake whatever model was instituted uniformly across the state. The Committee entertained the idea of creating a Youth Services Division that would act as an umbrella for all juvenile justice services. Members considered how this would affect transparency and accountability.

A further subject that incurred much dialogue was how to handle status offenders. Debate occurred as to where this population would best be served. Often, when these youth were placed into the juvenile justice system, it could lead to future recidivism that would not occur otherwise. While moving status offenders to the behavioral health system was suggested, there were concerns over trauma and over-medication that could come about by doing such. The Committee agreed that this was a population in which further research should be conducted.

The Committee suspended for lunch at 11:50 a.m.

The Committee resumed business at 12:40 p.m.

The Committee reviewed the previous Juvenile Services Committee report to form recommendations for the current report. The group debated on several items in the previous report and if they conflicted with the direction in which the Committee would like to move. The layout of the report was edited to include only relevant information.

Dialogue settled on the matter of the Youth Rehabilitation Treatment Centers (YRTC). The group deliberated as to if there was a way to use existing facilities in order to pilot a multi-level of care system. Members felt that several factors needed to be taken into consideration before launching a pilot. Items they felt needed to be examined were the population type of youth going out of the state, the number of youth aged 18 being committed to detention centers and their needs, and any services that are in demand, but unavailable for the juvenile justice population at large.

It was decided to form a Taskforce group to look into this information. Members of the group were to include individuals from the Office of Juvenile Services, the Administrative Office of Probation, the Juvenile Justice Institute, and any other interested stakeholders. Volunteers to serve on a Data Analysis and Mapping Taskforce included Anne Hobbs, Juliet Summers, Jana Peterson, and Mike Fargen.

Final suggestions for the current report included altering the mission statement of the Committee, and creating or refining recommendations for the following categories: Foundational Principles, Legal System Changes, Core Design and Framework, Nebraska Children's Commission Related Recommendations, YRTC Related Recommendations, and Additional Committee Priorities. Another item that the members wanted included was a list of previous recommendations that had been accomplished.

IX. Public Comment

Co-Chair Hawekotte invited any members of the public forward. No public comment was offered.

X. New Business

There was no New Business to present at this time.

XI. Upcoming Meeting Planning

Co-Chair Hawekotte suggested that the next OJS Committee meeting on December 8, 2015 be cancelled. The next Juvenile Services Committee meeting was scheduled for January 12, 2016. The January meeting would include information from the Data Analysis and Mapping Taskforce and a return to the subject of assessment tools.

Juliet Summers recommended that the date of December 8, 2015 be used for the Taskforce to meet. Final details for the Taskforce meeting would be sent out at a later time.

XII. Future Meeting Dates

- December 8, 2015 – Data Analysis and Mapping Taskforce Meeting
- January 12, 2016 – Juvenile Services Committee Meeting

XIII. Adjourn

Co-Chair Hawekotte entertained a motion to adjourn. Ron Johns moved to adjourn. Cassy Rockwell seconded the motion. There was no discussion. Motion carried by unanimous voice vote. The meeting adjourned at 2:39 p.m.

11/20/2015

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